



THE UNITED STATES PATENT AND TRADEMARK OFFICE
Re: Appeal to the Board of Appeals

In re Application of

HEINZ et al.

Serial No. 10/019,048

Filed: December 27, 2001

For: **PLANTS EXPRESSING Δ6-DESATURASE GENES PUFAS-CONTAINING OILS
FROM THESE PLANTS AND A PROCESS FOR THE PREPARATION OF
UNSATURATED FATTY ACIDS**

) Art Unit: 1636

) Examiner: AKHAVAN, Ramin

To: Hon. Commissioner of Patents and Trademarks

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D. C. 20336, on:

January 18, 2004

Date of Deposit

Sabine Bern

Person Making Deposit

Sabine Bern

Signature

1. **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Appeals from the decision dated _____ of the Primary Examiner finally rejecting claims _____.
 A check to cover the extension fee of \$____ is enclosed.
3. **BRIEF** on appeal in this application is transmitted herewith.
4. An Oral Hearing is requested.
 The Oral Hearing fee of \$280.00 is enclosed.
5. Fee \$500.00
 Enclosed
 Not required (Fee paid in prior appeal)
 Charge to Deposit Account No. 11-0345.
6. The Commissioner is hereby authorized to charge any fees which may be further required, or credit any over payment to Account No. 11-0345. A duplicate copy of this sheet is attached.

Respectfully submitted,
KEIL & WEINKAUF

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Acad. Sci. USA 87: 2264-2268, 1990). A definitive method for identifying nucleic acids that have the recited percent homology to the referenced sequences are available.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that reversal of the examiner's rejection of all claims is in order.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11-0345. Please credit any excess fees to such deposit account.

Respectfully submitted,

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